1 2 3 4 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA 7 8 HECTOR LEONARD JARDINE, 9 Petitioner, 2:16-cv-02637-RFB-NJK 10 **ORDER** 11 BRIAN WILLIAMS, et al., 12 Respondents. 13 On January 5, 2018, the Federal Public Defender (FPD) filed a notice of appearance on behalf 14 15 of the petitioner in this action under 28 U.S.C. § 2254. ECF No. 13. Accordingly, the court shall 16 schedule further proceedings. 17 IT IS THEREFORE ORDERED that the FPD shall have forty-five (45) days from the 18 date of entry of this order to file an amended petition for writ of habeas corpus, if counsel so 19 chooses. 20 IT IS FURTHER ORDERED that respondents shall file a response to the petition, 21 including potentially a motion to dismiss, within **ninety (90) days** of the date on which the petitioner 22 files an amended petition or the date on which the period for filing an amended petition expires, with 23 any requests for relief by petitioner by motion otherwise being subject to the normal briefing 24 schedule under the local rules. Any response filed shall comply with the remaining provisions below

and Rule 5 of the Rules Governing Habeas Corpus Cases Under Section 2254.

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IT IS FURTHER ORDERED that if respondents file an answer, petitioner shall have sixty (60) days from the date on which the answer is served on him to file and serve a reply. If respondents file a motion to dismiss, petitioner shall have sixty (60) days from the date on which the motion is served on him to file and serve a response to the motion to dismiss, and respondents shall, thereafter, have thirty (30) days to file a reply in support of the motion.

IT IS FURTHER ORDERED that any additional state court record exhibits filed herein by either petitioner or respondents shall be filed with a separate index of exhibits identifying the exhibits by number. The CM/ECF attachments that are filed further shall be identified by the number or numbers of the exhibits in the attachment. The hard copy of any additional state court record exhibits shall be forwarded – for this case – to the staff attorneys in **Reno**.

**IT IS FURTHER ORDERED** that petitioner's motion for extension of time (ECF No. 12) is GRANTED *nunc pro tunc* as of January 2, 2018.

DATED this 8th day of January, 2018.

RICHARD F. BOULWAR

UNITED STATES DISTRICT JUDGE